

(b) The Director of NIOSH shall provide a Hazard Evaluation (HE) program for Federal agencies. This program shall be designed to respond to significant safety and health hazards that are identified in the Federal sector. Requests for such HEs may be submitted to the Director by:

- (1) the Secretary of Labor;
- (2) the Head of a Federal Agency;
- (3) an agency safety and health committee if half the committee requests such service, and
- (4) an employee who is not covered by a certified safety and health committee.

(c) The Director of NIOSH may assist agencies by providing technical services, training materials and conducting training programs upon request by an Agency and with reimbursement.

(e) Safety and Health Services

GSA will operate and maintain for user agencies the following services:

(1) listings in the "Federal Supply Schedule" of safety and health services which are approved for use by agencies when needed. Examples of such services are: workplace inspections, training, industrial hygiene surveys, asbestos bulk sampling, and mobile health testing;

(2) rules for assistance in the preparation of agency "Occupant Emergency Plans" (formally called "Facility Self-Protection Plans"). GSA shall publish these rules in 41 CFR 101, and

(3) an effective maintenance program in the Interagency Motorpool System which will ensure the safety and health of Federal employees utilizing the vehicles. Critical items to be included are: exhaust systems, brakes, tires, lights, and steering.

1960.35 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH SERVICES

(a) The Director of the National Institute for Occupational Safety and Health (NIOSH) shall, upon request by the Secretary, assist in the evaluation of Federal Agency Safety and Health Programs; the investigation of possible safety and health hazards; and, reports of unsafe or unhealthful conditions received by the Secretary.

SUBPART K - FIELD FEDERAL SAFETY AND HEALTH COUNCILS

1960.84 PURPOSE

(a) Executive Order 12196 provides that the Secretary shall "facilitate the exchange of ideas and information throughout the Government about occupational safety and health."

(b) Consistent with this objective, the Secretary will continue to sponsor and/or provide guidance for those Field Federal Safety and Health Councils now established and in operation, and establish new field councils as necessary. The field councils will consist primarily of qualified representatives of local area Federal field activities whose duties pertain to occupational safety and health, and also of representatives of recognized local labor organizations, or other civilian employee organizations, at local area Federal field activities. For the purpose of this subpart the definition of field activity will be provided by each agency.

1960.85 ROLE OF THE SECRETARY

(a) The Secretary shall maintain liaison with agency heads to ensure that they encourage their field activities to participate actively in field council programs. To ensure maximum participation, the field councils' annual reports

to the Secretary shall provide descriptions of the degree of management and employee participation by the defined Federal field activities. The Secretary shall annually furnish each agency head with a report consolidating the information received as to the participation of the agency's several field installations in field council activities.

(b) The Secretary shall provide leadership and guidance and make available necessary equipment, supplies, and staff services to the Field Federal Safety and Health Councils to assist them in carrying out their responsibilities. The Secretary shall also provide consultative and technical services to field councils. These services shall involve aid in any phases of developing and planning programs; and in sponsoring, conducting or supporting safety and health training courses.

1960.86 ESTABLISHING COUNCILS

(a) Those field councils established and in operation prior to the effective date of this subpart will continue to function without interruption provided they are operating in accordance with the provision of their charter and this subpart.

(b) The Secretary may establish a council in any area where ten or more Federal establishments totaling 300 or more employees are located within an area having a radius

of 50 miles. In any such area where there is no council already established, a field representative of the Secretary may, upon his own initiative or at the request of any establishment within the area, contact representatives of all establishments within the area and coordinate their efforts to organize a field council:

(c) After a new council has been organized, officers elected, and articles of organization drafted and accepted by the council membership, a formal request for recognition as a field council shall be sent to the Secretary. Upon approval of the Articles of Organization, a charter will be issued.

(d) At the first general meeting of the council, committees should be appointed and the cooperation of all participants should be solicited to aid the functioning of committees and the successful accomplishment of the council's objectives.

1960.87 OBJECTIVES

The basic objective of field councils is to accomplish the greatest possible reduction in the incidence, severity and cost of occupational accidents, injuries, and illnesses in the Federal Government. Field councils shall act on behalf of the Secretary or his designees on occupational safety and health activities in carrying out within their respective geographic areas the following functions:

(a) To act as a clearinghouse on information and data on occupational accidents, injuries, and illnesses and their prevention.

(b) To plan, organize and conduct field council meetings or programs which will give technical advice and information on occupational safety and health to representatives of participating agencies and employee organizations.

(c) To promote improvement of safety and health programs and organizations in each Federal agency represented or participating in council activities.

(d) To promote coordination, cooperation, and sharing of resources and expertise to aid agencies with inadequate or limited resources. These objectives can be accomplished in a variety of ways. For example, field councils could organize and conduct training programs for employee representatives, collateral duty and professional safety and health personnel, coordinate or promote programs for courtesy inspections, or, on request, conduct evaluations of the agencies' safety and health programs.

(e) To provide Federal Executive Boards, Federal Executive Associations, labor union organizations and other employee representatives with information on the administrative and technical aspects of safety and health programs.

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(f) To evaluate the safety and health problems peculiar to local conditions and facilitate solutions to these problems through council activities.

(g) To develop a cooperative relationship with local community leaders by informing them of the existing functions and objectives of the council and by calling on them for support and participation in council meetings and activities.

1960.88 MEMBERSHIP

(a) Each field council shall consist of representatives of local Federal activities appointed by their respective activity heads as members or alternates. Such agency representation shall include both management and employee representatives. Activity heads should consult any appropriate certified agency occupational safety and health committees regarding selection of these representatives. Representatives shall be selected from individuals in the following categories:

(1) Federal occupational safety and health professionals.

(2) Related federal professionals, or collateral duty personnel. This includes persons employed in professions or occupations related to or concerned with safety and health of employees.

(3) Representatives of recognized Federal labor or other employee organizations. This category of membership includes representatives of recognized local labor organizations, if any, or other employee organizations representing civilian employees in each Federal field activity comprising the field council. Appointment of these members for attendance at meetings or participation in field council activities shall be by their respective activity heads after consultation with appropriate employee representatives or certified agency safety and health committees.

(4) Representatives from non-Federal organizations. Associate membership may be granted to any non-Federally employed person who has demonstrated interest in occupational safety and health. An associate member has no voting rights and may not hold any office.

(b) A primary objective of the field council is to facilitate an exchange of ideas and information with respect to health and safety. Accordingly, no maximum limitation shall be imposed by a council on itself, in regard to the numbers of personnel in any of the above categories that may be members and/or attend meetings and/or participate in field council activities.

(c) All officially designated members and representatives or their alternates shall have voting privileges and serve without additional compensation.

1960.89 ORGANIZATION

(a) Field council officers shall include as a minimum, a chairperson, vice chairperson, and secretary. Officers shall be elected for a one or two-year term on a calendar year basis by a majority vote of the members of record. Election of officers shall be held at least 60 days before the beginning of a calendar year. The election may be conducted at a regularly scheduled meeting or by letter ballot.

(b) Each council shall notify the appropriate OSHA Regional Office and the Office of Federal Agency Safety and Health Programs of the name, agency address, and telephone number of each newly elected official.

(c) Each council shall have an Executive Committee consisting of all elected officers, chairpersons of appointed committees and the immediate past chairperson of the field council.

(d) In addition to the Executive Committee, each council shall have either a membership committee, a program committee and a finance committee, or a council official designated responsibility in these areas. Additional committees may be appointed by the Chairperson for specific purposes as warranted.

1960.90 PARTICIPATION

(a) Federal agency heads shall ensure that each field activity having responsibility for the safety and health

of agency employees is officially represented and actively participates in the programs of these councils. Agency heads shall ensure that such official representation includes the opportunity for active participation by employee organizations or representatives.

(1) Where certified occupational safety and health committees as described in Subpart F exist, employee members of the committees shall designate one individual for official appointment to field councils by the activity head.

(2) Where employees are represented through collective bargaining arrangements, but no committee exists, non-management members of field councils shall be designated by the exclusive bargaining representative for official appointment to field councils by the activity head.

(3) Where some employees in an activity are represented through collective bargaining units and others are not, the agency head shall solicit nominations from the labor union(s) or other employee organization(s) with collective bargaining status and from employees not represented through collective bargaining and shall select one of the nominees for official appointment as the employee representative on the field council.

(4) Agency heads shall appoint official non-management members of the field councils.

(b) Each activity shall appoint two voting members (with designated alternates), one representing management

and one representing employees. The field council annual report shall reflect the participation in council meetings by appointed field activity voting members or their alternates.

(c) Field activity participation at meetings requiring travel in excess of 100 miles (one way) is encouraged but not required.

(d) Regarding travel to meetings, travel funds shall be made available equally to management and employee representation.

1960.91 OPERATING PROCEDURES

(a) The Executive Committee of each council shall meet at least 45 days before the beginning of each calendar year to approve an annual program for the council designed to accomplish the objectives and functions stated in Section 1960.87. In addition, the Executive Committee shall meet periodically to ensure that the meetings and other activities of the council are being conducted as outlined in the council schedule.

(b) The council program shall include at least four meetings or activities per year dealing with occupational safety and health issues.

(c) Each field council shall submit to the Secretary or his designee by March 15 of each year a report describing the activities and programs of the previous calendar year and

plans for the current year. In addition, the report shall address the participation of local agencies including representatives' attendance. The Office of Federal Agency Safety and Health Programs, OSHA, shall furnish guidelines to field councils concerning the preparation of this report.

(d) Upon determination that a council is not operating in accordance with its charter and the provisions of this subpart, and after consultation with appropriate OSHA regional officials, the Secretary shall revoke the council's charter. Upon revocation of a charter, the council shall surrender all its government property to the appropriate OSHA regional official. Any continuing or future organization in the same geographical area shall not use the title Field Federal Safety and Health Council, or any derivation thereof, unless formally rechartered by the Secretary. Notification of revocation of a council's charter shall be sent to the chairperson, where identifiable, and to the appropriate OSHA Regional Office.